



Rochester Hills

Minutes

City Council Regular Meeting

1000 Rochester Hills Dr.
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
www.rochesterhills.org

*Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen,
Michael Webber and Ravi Yalamanchi*

Vision Statement: The Community of Choice for Families and Business

Mission Statement: "Our mission is to sustain the City of Rochester Hills as the premier community of choice to live, work and raise a family by enhancing our vibrant residential character complemented by an attractive business community."

Monday, January 12, 2009

6:00 PM

1000 Rochester Hills Drive

In accordance with the provisions of Act 267 of the Public Acts of 1976, as amended, the Open Meetings Act, notice was given that the time of the Regular Rochester Hills City Council Meeting would be changed to 6:00 PM on Monday, January 12, 2009.

CALL TO ORDER

President Hooper called the Regular Rochester Hills City Council Meeting to order at 6:02 PM Michigan Time.

ROLL CALL

Present 7 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen, Michael Webber and Ravi Yalamanchi

Others Present:

*Ed Anzek, Director of Planning and Development
Bryan Barnett, Mayor
Derek Delacourt, Deputy Director of Planning
Jean Farris, Supervisor of Procurement
Bob Grace, Director of MIS
Judy Hewitt, Administrative Assistant - Finance
Kevin Krajewski, Network Administrator/Deputy Director of MIS
Jane Leslie, City Clerk
Pat McKay, Supervisor of Interpretive Services
Marilyn Paulsen-Tomaszewski, Purchasing Analyst
Roger Rousse, Director of DPS/Engineering
John Staran, City Attorney
Pat Theisen, Custodian II*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Pixley, seconded by Ambrozaitis, that the Agenda be Approved as Amended to move Legislative File 2008-0685, Request for Site Plan approval pursuant to a May 26, 2005 Amended Consent Judgment - Adams Marketplace Meijer, a proposed 175,212 square-foot store and enclosed outdoor garden center on approximately 13.5 acres, and a proposed 2,544 square-foot gas station and convenience store on 2.2 acres, located on Marketplace Circle near the southwest corner of Adams and M-59, zoned ORT, Office, Research and Technology, Parcel No. 15-30-326-008, Rochester Hills Marketplace LLC, applicant to follow the Approval of Agenda. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

President Hooper moved Legislative File 2008-0685 from New Business to directly follow Approval of Agenda.

2008-0685 Request for Site Plan approval pursuant to a May 26, 2005 Amended Consent Judgment - Adams Marketplace Meijer, a proposed 175,212 square-foot store and enclosed outdoor garden center on approximately 13.5 acres, and a proposed 2,544 square-foot gas station and convenience store on 2.2 acres, located on Marketplace Circle near the southwest corner of Adams and M-59, zoned ORT, Office, Research and Technology, Parcel No. 15-30-326-008, Rochester Hills Marketplace LLC, applicant

Attachments: [Agenda Summary.pdf](#)
[TRC Report 122908.pdf](#)
[Site Plans Pgs 1-5\(Meijer\).pdf](#)
[Site Plans Pgs 6-9\(Meijer\).pdf](#)
[Site Plans Pgs 10-15\(Meijer\).pdf](#)
[Site Plans Pgs 16-24\(Meijer\).pdf](#)
[Amended Consent.pdf](#)
[Consent Judgment.pdf](#)
[Resolution.pdf](#)

President Hooper stated that his employer had a minor financial interest in the property, and as such he would recuse himself and turn the Chair over to Vice President Brennan for the duration of this item.

Ed Anzek, Director of Planning and Development, stated that this was the fifth phase of this project and it consists of a Meijer's store with a convenience gas station. He referenced the site on an aerial photo he displayed. He stated that Meijer's is located on a 13.5 acre site and the convenience gasoline service center is located on a 2.23 acre site; and commented that the Consent Judgment does approve both uses.

Mark Drane, Rogvov Architects, representing Grand Sakwa Properties, presented an overview of the site plan, and reviewed the existing development phases, which now includes Walmart, Panera Bread, Petsmart, Kerby's Koney Island, and Chili's, to name a few of the establishments. He stated that Meijer's is proposed to back up to M-59, and the outlot for the gas station is along Adams Road. Access to

the site will be off of Marketplace Circle. He noted that the proposed Meijer's building is approximately 153,000 square feet plus an outdoor sales area and loading facility. The site plan has been through the technical review committee and meets screening requirements. He also stated that all stormwater detention will go into a central facility. He mentioned that there is a proposed future building as another phase which is not a part of this proposal.

Mr. Drane explained that the building is primarily brick and meets and complies with all City Ordinance requirements. He stated that like-uses are being grouped together to generate traffic from one establishment to another. He commented that this Meijer's is a needed component to the development.

Mr. Brennan stated that it was his understanding that this site plan did not go to the Planning Commission.

Mr. Anzek confirmed that it had not, and stated that as part of the Consent Judgment, City Council is the deciding body.

Mr. Brennan asked Mr. Anzek to discuss whether there were any clarifications or modifications required before approval.

Mr. Anzek stated that any issues were very minor and stated that most of the concerns related to tree islands that were misidentified on the site plan. He stated that they requested that these items be clarified on the final drawings to be submitted. He also stated that City Council's approval tonight did not grant any approvals for signage and these approvals would be handled by separate Ordinance through the Building Department and governed somewhat by the Consent Judgment.

Mr. Brennan questioned whether any concerns needed to be addressed prior to City Council approval or if these concerns could be handled administratively.

Mr. Anzek stated that they could be handled administratively.

Mr. Brennan questioned whether there was any public comment on this item and saw there was none.

Council Discussion:

Mr. Ambrozaitis stated that he wanted the record to reflect that he was not overly excited about what had happened here, but every job matters and he is looking forward to the City having the tax base. He stated that as long as Mr. Anzek felt any issues could be dealt with administratively, he would support the approval.

Mr. Rosen questioned whether the site plan included an adequate number of handicapped parking spots.

Mr. Drane stated that the plan included roughly 24 handicapped parking spaces.

(President Hooper exited at 6:13 p.m. and returned at 6:15 p.m.)

Mr. Rosen questioned how the rear elevation and landscaping would appear from M-59.

Mr. Drane presented a rendering depicting the rear view, showing a brick facade with bands of light-color brick below to break up the mass of the building. He stated that the extensive sight lines and rooftop equipment would be screened from view from M-59 by extensive evergreens consisting of Colorado Green Spruce and White Spruce.

Mr. Rosen questioned whether there was any intention to close the existing Meijer's store on Rochester Road.

Bob Dunston, Director of Real Estate for Meijer's, stated that there was no intention of closing the other Meijer's, stating that it was a very successful store for the company. He also stated that the number of handicapped spaces was 30 between the gas station and the main store. He stated that several spaces were oversized, and explained that there were 18 regular handicapped spaces and ten van-accessible oversized spaces.

Mr. Webber questioned how many employees worked at the Rochester Road Meijer's.

Mr. Dunston responded that typically approximately 300 employees work at a Meijer's store, and about one-third of these employees are full-time. He stated that this Meijer's is proposed to be approximately 156,000 square feet. He commented that the Rochester Road store is approximately 200,000 square feet and explained that Meijer's has gotten more efficient with their store formats to be able to do more with less square footage and be more Leadership in Energy and Environmental Design (LEED) certifiable. He explained that LEED certifiable pertained to energy efficiency.

Mr. Webber questioned the competition that Walmart would present.

Mr. Dunston agreed that Meijer's is in competition with Walmart, but stated that there are enough households to support both stores.

Mr. Pixley asked Mr. Staran to comment on the approval process.

John Staran, City Attorney, stated that this request for City Council approval rises out of a Consent Judgment which had to do with the realignment of Adams Road and the right-of-way and the Grand Sakwa property. The Consent Judgment, as amended, allowed several alternate site plans including one that would allow a retail-commercial mix such as what is currently being developed, including the larger retail stores such as Meijer's and Walmart. The Judgment provides for an expedited plan review process. He explained that the Planning Commission is displaced as the site plan reviewer by a technical committee, and City Council sits as the final decision-maker both in terms of site plan approval and in the event a variance is required. He commented that no variances were requested as a part of tonight's approval. He stated that the Consent Judgment provides through this

process that if the site plan passes and meets Ordinance requirements and complies with the provisions of the Consent Judgment, Council discretion is very limited.

Mr. Pixley expressed his appreciation for Meijer's commitment to Rochester Hills and stated that he looked forward to the new jobs to be created.

Mr. Yalamanchi questioned whether this would be a 24-hour store. He questioned whether the height of the lights would be no more than 27 feet as were the lights approved for Walmart.

Mr. Anzek stated that these lights would be the same as Walmart, and would be no more than 27 feet to top-of-fixture.

Mr. Yalamanchi questioned whether there could be more than one gas station on the site.

Mr. Staran replied that there could, and that Walmart could have one as well.

Mr. Yalamanchi questioned why this design was not like other Meijer's, citing the Meijer's in Auburn Hills.

Mr. Dunston stated that the Auburn Hills Meijer's was a design Meijer's was using six or seven years ago. He added that the Auburn Hills Meijer's is a 220,000 square foot store, and that Meijer's does not build that design anymore. The proposed design submitted is Meijer's standard design format now.

Mr. Yalamanchi questioned whether the trees behind the store would be dense enough for screening.

Mr. Anzek responded that by Ordinance, a Type D screening buffer is required, and the proposed design meets this requirement. He also stated that these requirements are exceeded by the planting of coniferous trees in a staggered pattern, which will allow the trees to grow bigger and fill in nicely.

Mayor Barnett commented that he is happy to see Meijer's plan to keep the Rochester Road location, stating that from a community standpoint Meijer's has been a wonderful partner with the City. He stated that this is a good design and he looks forward to welcoming Meijer's to a second location in the City.

Mr. Webber questioned the project's timeframe.

Mr. Dunston responded that Meijer's intends to start construction as soon as the pad is ready this summer.

Mr. Anzek stated that he wanted to thank Meijer's as this would be the first LEED certifiable building in the community.

A motion was made by Ambrozaitis, seconded by Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 6 - Ambrozaitis, Brennan, Pixley, Rosen, Webber and Yalamanchi

Abstain 1 - Hooper

Enactment No: RES0001-2009

Resolved, that the Rochester Hills City Council hereby approves the Site Plan for the Adams Marketplace Meijer, City File No. 08-005, a 175,212 square-foot store and garden center and a 2,544 gas station and convenience store on 15.7 acres, located at the southwest corner of Adams and M-59 on Marketplace Drive, Parcel No. 15-30-326-008, zoned by Consent Judgment, based on plans dated received by the Planning and Development Department on November 14, 2008, with the following conditions:

1. Remove notation of 171 square feet for the planter located at the northeastern corner of the building from the Convenience Store (CS) Plan; reclassify the tree located in the 177 square feet of planter island on the CS Plan as a planter island tree, rather than a replacement tree; and revise planting schedule to specify a total of 42 planter island trees, prior to Final Approval by Staff.
2. Delete notation of 187 square feet from the 1,950 square feet of parking lot island planters in the off-site parking area, prior to Final Approval by Staff.
3. Tree Protective Fencing must be installed, inspected and approved by the City's Landscape Architect, prior to issuance of a Land Improvement Permit.
4. Landscape Performance and Maintenance Bonds for trees and miscellaneous landscaping in the amount of \$168,860.00 must be submitted prior to issuance of a Land Improvement Permit.
5. All signage must be approved by the Building Department and is not considered part of the Site Plan Approval.
6. Revise light pole detail on Sheet C801 to show a maximum height of the fixture to be 27 feet from the ground to top of fixture.

PUBLIC COMMENT

President Hooper stated that he had a request for additional public comment time, and that he would allow four minutes for comments.

Scot Beaton, 655 Bolinger, thanked Mayor Barnett for his continuing dedication to the community. He commented that this will be a difficult year for City Council and that the Council will have to make some tough decisions. He commented on the adopted 2009 Budget, noting the amount of the Mayor's Department budget, and stated that City Council and the City's departments should look at ways to reduce costs.

Suzanne White, 1598 Parke, spoke on behalf of Holiday Helpers of Rochester Hills stating that despite the current economy and bad weather this year, the Holiday Helpers delivery team got their job done. She expressed her thanks to Gold Star Restaurant, and owners Sam and Paul Harris, who hosted Thanksgiving dinner for over 200 people at their cost. She commented that Parisian took on ten families this year, and the YMCA Swim Team took on three families. She expressed

appreciation to the local Boy Scouts and the Elks Club, and also stated that Meijer's has been the organization's mainstay and lifeline to kids with their Shop With a Cop program. She stated that Meijer's donated \$1,240 for food baskets, and the Rochester Hills Fire Department volunteered their time to put the baskets together. She also thanked Theresa and Vince Mungoli for their efforts in collecting more food. She commented that the continuous support of Mayor Barnett, City staff, and its residents is phenomenal.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper commented that the Budget is available for review online. He also expressed his appreciation to Ms. White for the Holiday Helpers, stating that the group fills an important need in the community.

Mr. Brennan expressed his hope that everyone had a great Holiday Season. He noted that the end of 2008 was pretty disappointing, but was cautiously optimistic regarding the future; stating that with the automotive financial assistance adopted and the incoming new President, the City should look forward. He commented that with the 2009 Auto Show opening this week, Detroit will shine. He further commented about an article in the Oakland Press reporting on a van/deer collision on Adams Road which resulted in minor injuries. He stated that the accident occurred as the deer ran into the vehicle. He expressed his belief that Council did the right thing in adopting a comprehensive program regarding deer population control and that these are the types of situations the program works toward reducing.

Mr. Ambrozaitis wished everyone a Happy New Year, and expressed his congratulations to the following residents:

- Kate Bennett, a local resident and graduate of Rochester High School, entered a contest to design a gown for the inauguration.
- Bob and Linda Viansco had their Rochester Hills home featured in the Detroit News in an article entitled "From Tuscany with Love".
- Mitchell Walch, an eighth grader at West Middle School, was featured in an article where he talks about how he reads the paper and how it is important to read and know what is going on. Mr. Ambrozaitis stated he was excited to see youth paying attention to civic events.
- Alex (last name withheld), a student at Stoney Creek High School, was featured in a recent article. Alex has a 3.95 grade point average, nearly aced the ACT exam, and was 70 points short of a perfect score on the SAT. He stated he was accepted to the University of Michigan Honors Program, but was still waiting to hear from Columbia and Harvard. He noted that this young man has been in foster care for years, and stated that his success shows the power of positive thinking.

Mr. Pixley also expressed his wishes for a Happy New Year. He thanked Mr. Rousse and members of the DPS for all the hard work they have expended in keeping the streets clean. He also mentioned an article appearing in this week's Sports Illustrated by Mitch Albom, which stated that Michigan may be down, but it is not out. The State's economy is challenged, but there are a lot of good things going on around here in Michigan.

Mr. Rosen noted that the City's snow plowing response times were better than expected. He expressed his hopes that the economy would turn around soon.

Mr. Webber expressed appreciation to Holiday Helpers, stating that it was a reminder of the type of community we live in.

Mr. Yalamanchi echoed everyone's wishes for a Happy New Year and also thanked Mr. Rouse for the DPS efforts.

Mayor Barnett made the following comments:

- He complimented Mr. Rouse, Mr. Leafdale and the DPS team. He stated that both complaints and compliments he received regarding snow removal numbered less than ten.
- He expressed his appreciation that in a staggeringly difficult economy an organization like Holiday Helpers steps up.
- He noted that City Hall would close for the Martin Luther King Day Holiday on Monday.
- He stated that a letter would be going out to residents regarding the Single Trash Hauler later this month. He asked residents to not pay a trash bill beyond March 30 if utilizing anyone other than Allied.
- He stated that he appreciated Mr. Beaton's comments, and noted that for the record, the Mayor's Department budget includes Fiscal, Budget, Purchasing, Media, Channel 55 and Accounting.
- He announced that the annual Rochester/Rochester Hills Football Game would be held on Saturday, January 31, 2008 at noon on the Rochester High School Football Field. Mayor Barnett asked residents to make a donation to the Greater Rochester Area Community Foundation to either Team Rochester or Team Rochester Hills; these donations would support Neighborhood House.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

RECOGNITIONS

2009-0001 In Recognition of Jean Farris for being named the 2008 Employee of the Year

Attachments: [Agenda Summary.pdf](#)
[Proclamation.pdf](#)
[Resolution.pdf](#)

Mayor Barnett explained that the Employee of the Year was a new program for this year, set to honor and recognize one Employee of the Year and three Honorable Mentions. He stated that these individuals were nominated by their peers and the nominations were reviewed by a team. He announced that the 2008 Employee of the Year is Jean Farris, Supervisor of Procurement, and read the Proclamation.

Jean Farris expressed her appreciation to both Mayor Barnett and City Council for recognizing staff. She stated that it was very important for staff to know that

they are recognized for what they give and commented that staff members in Rochester Hills are very highly ethical people who give their all to the City. She thanked her purchasing staff, including Marilyn Paulsen-Tomaszewski and Judy Hewitt.

Presented.

Whereas, Jean Farris has been a loyal and steadfast employee for 22 years; and

Whereas, Jean began her employment as an Ordinance Technician in the Building Department and was promoted numerous times to ultimately become the Supervisor of Procurement; and

Whereas, Jean is known throughout the city for her outstanding professionalism and is respected by her superiors, co-workers, staff, and the vendors she does business with; and

Whereas, Jean has proven time and again to be a dedicated and valuable employee whose professionalism and leadership skills have enabled the Purchasing Division to receive the "Excellence in Procurement Award" for five consecutive years; and

Whereas, In 2006, Jean was awarded the Marvin Klang Award, which is the Michigan Public Purchasing Officer Association's highest honor, recognizing leadership through advancement of the profession, professional development and certification, and leadership within the association and the government entity; and

Whereas, Jean is an ambassador of public trust, and the residents of Rochester Hills are well served by having Jean at the helm of the Purchasing Division.

Now, Therefore, Be It Resolved, that I, Bryan K. Barnett, Mayor of the City of Rochester Hills, hereby congratulate Jean Farris on being named the 2008 Employee of the Year, and thank her for her hard work and dedication to the City of Rochester Hills.

2009-0002 In Recognition of Patrick McKay for being selected a 2008 Outstanding Employee

Attachments: [Agenda Summary.pdf](#)
[Proclamation.pdf](#)
[Resolution.pdf](#)

Mayor Barnett introduced Pat McKay, Supervisor of Interpretive Services, named a City of Rochester Hills Outstanding Employee of the Year, and read the Proclamation.

Pat McKay stated that he was amazed by the length of service these Employees of the Year have to the City. He commented that the City is not as heavily-staffed as many cities, and he is amazed at the teamwork and cooperation through every City resource. He stated that the two best jobs in City are to either be Mayor or be the Director of the Museum and that it has been an honor.

Presented.

Whereas, Patrick McKay began work at the City of Rochester Hills in 1986 as a part-time

staff person; and

Whereas, Through the years, Patrick has worked in museum operations and has excelled as the Supervisor of Interpretive Services at the Museum; and

Whereas, Patrick is a passionate historic enthusiast and has been described as the "very heart" of the Rochester Hills Museum at Van Hoosen Farm; and

Whereas, He is a marvelous ambassador for the City and works closely with a variety of groups, families, volunteers, fellow employees and businesses to benefit the Museum; and

Whereas, Patrick is a Paid-on-Call Firefighter, marathon runner, bicyclist, and a Granger baseball player.

Now, Therefore, Be It Resolved, that I, Bryan K. Barnett, Mayor of Rochester Hills do hereby congratulate Patrick McKay on being selected a 2008 Outstanding Employee, and thank him for his hard work and dedication to the City of Rochester Hills.

2009-0003 In Recognition of Pat Theisen for being selected a 2008 Outstanding Employee

Attachments: [Agenda Summary.pdf](#)
[Proclamation.pdf](#)
[Resolution.pdf](#)

Mayor Barnett introduced Pat Theisen, Custodian II, and read the Proclamation honoring her as an Outstanding Employee of the Year.

Ms. Theisen expressed her appreciation for this award.

Presented.

Whereas, Pat Theisen has worked for the City of Rochester Hills since 1995 and has always been a friendly, hard-working and dedicated employee; and

Whereas, Pat has been described as a professional employee who is great to work with and whose calm demeanor has helped ease many stressful situations; and

Whereas, Pat is always willing to go above and beyond the call of duty in assisting fellow employees, and is sure to do whatever she can to make sure everything runs smoothly at City Hall; and

Whereas, In addition to helping fellow employees, Pat has stepped in and provided assistance to residents who have experienced difficulties while visiting City Hall; and

Whereas, It has been said of Pat that she epitomizes how a little bit of kindness and helpfulness can go a long way and can really make someone's day!

Now, Therefore, Be It Resolved, that, I Bryan K. Barnett, Mayor of Rochester Hills do hereby congratulate Pat Theisen on being selected a 2008 Outstanding Employee, and thank her for her hard work and dedication to the City of Rochester Hills.

2009-0004 In Recognition of Kevin Krajewski for being selected a 2008 Outstanding Employee

Attachments: [Agenda Summary.pdf](#)
[Proclamation.pdf](#)
[Resolution.pdf](#)

Mayor Barnett introduced Kevin Krajewski, Network Administrator/Deputy Director of MIS, and noted that Mr. Krajewski also won the City's initial Green Competition, a new program for this year for "green" ideas. He stated that there were many submissions for this competition, and Mr. Krajewski's winning idea will save the City approximately \$16,000 per year.

Mr. Krajewski expressed his appreciation.

Mayor Barnett stated that the City's best resource is its team and he thanked everyone for their efforts.

Presented.

Whereas, Kevin Krajewski is known as the "go-to-guy" in and around the City of Rochester Hills; and

Whereas, Kevin began working for Avon Township on February 27, 1985. During his career, he has been employed as a Custodian, Laborer I, Survey Instrument Person, PC Systems Specialist, Network Administration and Deputy Director; and

Whereas, Kevin has been described as an example of "grace under fire." Even in the most frustrating and high-pressure instances, Kevin maintains a calm demeanor and his offbeat sense of humor; and

Whereas, Recently, Kevin has earned the nickname "The Computer Whisperer" for his ability to resurrect hard drives and extract data that the rest of the MIS staff thought lost forever; and

Whereas, Kevin is always on the job whether he's here or at home. He often uses his personal time to research technologies, software solutions and technical solutions to assist with problems at work.

Now, Therefore, Be It Resolved, that I, Bryan K. Barnett, Mayor of Rochester Hills do hereby congratulate Kevin Krajewski on being selected a 2008 Outstanding Employee, and thank him for his hard work and dedication to the City of Rochester Hills.

CONSENT AGENDA

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

- 2008-0525** Request for Approval of Traffic Control Order PK-98 - Streets Located Within Cumberland Hills Subdivision, Section #27: "No Stopping, Standing or Parking" from 6:00 AM to 5:00 PM on School Days Only within the right-of-way on both sides of Cumberland Drive from Hamlin Road to Prospect Drive

Attachments: [Agenda Summary.pdf](#)
[TCO Map.pdf](#)
[Traffic Study 100708.pdf](#)
[TCO PK-98.pdf](#)
[TCO PK-88.pdf](#)
[AT&S Minutes 021406 Excerpt.pdf](#)
[AT&S Minutes 101408 Excerpt.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0002-2009

Whereas, Traffic Control Order No. PK-98 has been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.; and

Whereas, said Traffic Control Order covers:

PK-98.1 "No Stopping, Standing or Parking" from 6:00 AM to 5:00 PM on School Days only within the right-of-way on both sides of Cumberland Drive from Hamlin Road to Prospect Drive.

Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved;

Resolved, that the Rochester Hills City Council approves the issuance of Traffic Control Order PK-98 to be in effect until rescinded or superseded by subsequent order; and

Now, Therefore, Be It Resolved, that a certified copy of this Resolution be filed together with the Traffic Control Order with the City Clerk of Rochester Hills, Oakland County, Michigan.

- 2008-0526** Request for Approval of Traffic Control Order SS-141, Streets within Grosse Pines Subdivision - Section #9: Marcastle Court STOP for Grosse Pines Drive; Grosse Pines Court STOP for Grosse Pines Drive; Grosse Pines Drive STOP for Chalmers Drive; Grosse Pines Drive STOP for Chalmers Drive W.; Chalmers Drive STOP for Chalmers Drive W.; Wintergreen Blvd. STOP for Chalmers Drive W.

Attachments: [Agenda Summary.pdf](#)
[TCO Map.pdf](#)
[TCO SS-141.pdf](#)
[Traffic Study 100608.pdf](#)
[Sign Location Map.pdf](#)
[City New Sign.pdf](#)
[Wooden Traffic Sign.pdf](#)
[AT&S Minutes 101408 Excerpt.pdf](#)
[RCOC TCO.pdf](#)
[1974 Marcastle Ct Ltr.pdf](#)
[Grosse Pines Sign Ltr 2 & 3.pdf](#)
[Grosse Pines Sign Ltr 1.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0003-2009

Whereas, Traffic Control Order No. SS-141 has been issued by the City Traffic Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.; and

Whereas said Traffic Control Order covers:

Streets within Grosse Pines Subdivision, Section 9:

SS-141.1 Marcastle Court STOP for Grosse Pines Drive
SS-141.2 Grosse Pines Court STOP for Grosse Pines Drive
SS-141.3 Grosse Pines Drive STOP for Chalmers Drive
SS-141.4 Grosse Pines Drive STOP for Chalmers Drive W.
SS-141.5 Chalmers Drive STOP for Chalmers Drive W.
SS-141.6 Wintergreen Blvd. STOP for Chalmers Drive W.

Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved;

Resolved, that the Rochester Hills City Council approves the issuance of Traffic Control SS-141 to be in effect until rescinded or superseded by subsequent order; and

Now, Therefore, Be It Resolved, that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

2008-0527 Request for Approval of Traffic Control Order YS-102, Streets within Grosse Pines Subdivision - Section #9: Vianne Drive YIELD for Grosse Pines Drive (at their West Intersection); Vianne Drive YIELD for Grosse Pines Drive (at their East Intersection); Elton Court YIELD for Grosse Pines Drive; Lenomar Court YIELD for Grosse Pines Drive; Chalmers Drive W. YIELD for Grosse Pines Drive

Attachments: [Agenda Summary.pdf](#)
[TCO Map.pdf](#)
[Traffic Study 100608.pdf](#)
[TCO YS-102.pdf](#)
[City New Sign.pdf](#)
[Wooden Traffic Sign.pdf](#)
[AT&S Minutes 101408 Excerpt.pdf](#)
[RCOC TCO.pdf](#)
[1974 Marcaste Ct Ltr.pdf](#)
[Grosse Pines Sign Ltr 2 & 3.pdf](#)
[Grosse Pines Sign Ltr 1.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0004-2009

Whereas, Traffic Control Order No. YS-102 has been issued by the City Traffic Engineer under the provisions of the Rochester Hills code of Ordinances, Chapter 98, Michigan Vehicle Code MCL247.1 et seq; and

Whereas, said Traffic Control covers:

Streets within Grosse Pines Subdivision, Section 9:

YS-102.1 Vianne Drive YIELD for Grosse Pines Drive (at their West Intersection)
YS-102.2 Vianne Drive YIELD for Grosse Pines Drive (at their East Intersection)
YS-102.3 Elton Court YIELD for Grosse Pines Drive
YS-102.4 Lenomar Court YIELD for Grosse Pines Drive
YS-102.5 Chalmers Drive W. YIELD for Grosse Pines Drive

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved;

Resolved, that the Rochester Hills City Council approves the issuance of Traffic Control YS-102 to be in effect until rescinded or superseded by subsequent order; and

Now, Therefore, Be It Resolved, that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

2008-0537 Request for Approval of Traffic Control Orders YS-103 and SS-142, Streets within Hickory Ridge Condominiums - Section #34: Sierra Blvd. YIELD for Monterey Lane/Columbia Drive; Columbia Drive YIELD for Monterey Lane; Monterey Lane YIELD for Donaldson Road; Donaldson Road STOP for Hazelton Ave.

Attachments: [Agenda Summary.pdf](#)
[TCO Map.pdf](#)
[Traffic Study 101008.pdf](#)
[TCO YS-103.pdf](#)
[TCO SS-142.pdf](#)
[AT&S Minutes 101408 Excerpt.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0005-2009

Whereas, Traffic Control Orders No.YS-103 and SS-142 have been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.; and

Whereas, said Traffic Control Orders cover:

Streets within Hickory Ridge Condominiums - Section #34

YS-103.1 Sierra Boulevard YIELD for Monterey Lane/Columbia Drive
YS-103.2 Columbia Drive YIELD for Monterey Lane
YS 103.3 Monterey Lane YIELD for Donaldson Road

SS-142.1 Donaldson Road STOP for Hazelton Avenue

Whereas, said Traffic Control Orders shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Orders and recommends that the Orders be approved;

Resolved, that the Rochester Hills City Council approves the issuance of Traffic Control Orders YS-103 and SS-142 to be in effect until rescinded or superseded by subsequent order; and

Now, Therefore, Be It Resolved, that a certified copy of this Resolution be filed together with the Traffic Control Orders, with the City Clerk of Rochester Hills, Oakland County, Michigan.

2008-0686 Request for Purchase Authorization - DPS/FACILITIES: Blanket Purchase Order for on-call plumbing, heating and air conditioning maintenance services in the amount not-to-exceed \$40,000.00; Engineered Comfort Systems Inc., Taylor, MI

Attachments: [Agenda Summary.pdf](#)
[Spreadsheet Detailed-Plumbing.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0006-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Engineered Comfort Systems Inc., Taylor, Michigan for on-call plumbing, heating and air conditioning maintenance services in the amount not-to-exceed \$40,000.00 through December 31, 2010.

Passed the Consent Agenda

A motion was made by Webber, seconded by Ambrozaitis, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

ORDINANCE FOR ADOPTION

2008-0596 Acceptance for Second Reading and Adoption - An Ordinance to Amend Sections 118-26, 118-64, 118-129, 118-130 and 118-169 of Chapter 118, Historical Preservation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to conform those Sections to corresponding provisions in the Local Historic Districts Act, MCL 399.201, et seq, repeal conflicting ordinances, and prescribe a penalty for violations

Attachments: [Agenda Summary.pdf](#)
[121508 Agenda Summary.pdf](#)
[Ordinance Amendment.pdf](#)
[SHPO Staff Review Comments 010804.pdf](#)
[SHPO Staff Review Comments 072106.pdf](#)
[Staran Letter 111108.pdf](#)
[Michigan's Certified Local Government.pdf](#)
[McKay Letter of Support.pdf](#)
[121508 Resolution.pdf](#)
[Resolution.pdf](#)

Mr. Webber commented that he would be voting no on this item. He stated that he wanted to see the Historic Districts Commission receive this recognition to be able to compete for grant monies and tax dollars, however, his main concern was the requirement that the City must alter its Ordinance to be in line with the State.

A motion was made by Ambrozaitis, seconded by Pixley, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion CARRIED by the following vote:

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

Nay 1 - Webber

Enactment No: RES0007-2009

Resolved, that an Ordinance to Amend Sections 118-26, 118-64, 118-129, 118-130 and 118-169 of Chapter 118, Historical Preservation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to conform those Sections to corresponding provisions in the Local Historic Districts Act, MCL 399.201, et seq., to repeal conflicting Ordinances, and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption, and shall become effective on Monday, January 19, 2009, the day following its publication in the Rochester Eccentric on Sunday, January 18, 2009.

NOMINATIONS/APPOINTMENTS

2009-0005 Request to confirm the Mayor's appointment of Nancy Ritter to the Rochester Hills Board of Review to fill the unexpired term of Patricia Gallagher which will expire December 31, 2009

Attachments: [Agenda Summary.pdf](#)
[Gallagher Resignation letter.pdf](#)
[Ritter CQ.pdf](#)
[Resolution.pdf](#)

A motion was made by Ambrozaitis, seconded by Webber, that Nancy Ritter be Appointed. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0008-2009

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Nancy Ritter to the Rochester Hills Board of Review to fill the unexpired term of Patricia Gallagher which will expire December 31, 2009.

2009-0009 Request to confirm the Mayor's re-appointment of Ralph Pisani and Art Saarela to the Rochester Hills Board of Review for three-year terms to expire December 31, 2011

Attachments: [Agenda Summary.pdf](#)
[Pisani C.Q.pdf](#)
[Saarela C.Q.pdf](#)
[Resolution.pdf](#)

A motion was made by Ambrozaitis, seconded by Webber, that Ralph Pisani and Art Saarela be Re-Appointed. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0009-2009

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's re-appointment of Ralph Pisani and Art Saarela to the Rochester Hills Board of Review for three-year terms to expire December 31, 2011.

NEW BUSINESS

2009-0006 Request from Max & Erma's Restaurants, Inc. to transfer all stock in 2008 Class C licensed business, located at 122 N. Adams Rd., Rochester Hills MI from Public Corporation to new stockholder, G&R Acquisition, Inc.

Attachments: [Agenda Summary.pdf](#)
[Application Packet.pdf](#)
[Resolution.pdf](#)

Mr. Pixley questioned what percentage of shares G&R Acquisition, Inc. owned prior to completion of this purchase.

Jane Leslie, City Clerk, responded that G&R Acquisition, Inc. was a major owner previously. Through a merger, G&R Acquisition, Inc. has now obtained all of the stock.

A motion was made by Ambrozaitis, seconded by Webber, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0010-2009

Resolved, that the request from Max & Erma's Restaurants, Inc. (a Delaware Corporation) to transfer all stock in 2008 Class C licensed business, located at 122 N. Adams Rd., Rochester Hills MI 48309, Oakland County, from Public Corporation to new stockholder, G&R Acquisition, Inc. (through a merger) be considered for approval.

2009-0007 Request from Lee's Investment, Inc. to transfer stock in 2008 Class C licensed business, located at 173 S. Livernois, Rochester Hills MI by dropping Hazel Yung as stockholder through a transfer of 500 shares to the new stockholder, Bing Cong Lin

Attachments: [Agenda Summary.pdf](#)
[Application Packet.pdf](#)
[Resolution.pdf](#)

A motion was made by Ambrozaitis, seconded by Webber, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0011-2009

Resolved, that the request from Lee's Investment, Inc. to transfer stock in 2008 Class C licensed business, located at 173 S. Livernois, Rochester Hills MI 48307, Oakland County, by dropping Hazel Yung as stockholder through a transfer of 500 shares to the new stockholder, Bing Cong Lin be considered for approval.

2008-0687 Request for Purchase Authorization - MIS: Blanket Purchase Order for the 2009 purchase of various MIS equipment, supplies and software in the amount not-to-exceed \$106,130.00

Attachments: [Agenda Summary.pdf](#)
[Resolution.pdf](#)

Mr. Yalamanchi stated that he wanted to emphasize that the City should not replace computer equipment before it is warranted to do so.

A motion was made by Ambrozaitis, seconded by Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0012-2009

Resolved, that the Rochester Hills City Council authorizes a blanket purchase order for the purchase of 2008 budgeted equipment, supplies and software in the amount not-to-exceed \$106,130.00 through December 31, 2009.

COUNCIL COMMITTEE REPORTS

None.

ANY OTHER BUSINESS

Mr. Ambrozaitis questioned which door-to-door solicitors needed to register with the City.

Ms. Leslie responded that the City has an Ordinance regarding door-to-door solicitation covering those solicitors of for-profit entities. She commented that unless these solicitors are reported, the City does not have much control over them.

Mr. Ambrozaitis noted he had been contacted by a concerned resident that a representative of AT&T had come to their door after dark. He commented that the City should communicate to residents that for-profit solicitors need to register with the City. Regarding a fireworks permit issued prior to the holidays, he commented that he had heard from a resident of a nearby community who had horses in the area and expressed concern that this permit was issued. He commented that these types of permits should be approved during regular City Council meetings with prior notice to affected residents.

Mayor Barnett stated that this horse owner was the only resident who contacted the City regarding these fireworks. He commented that the City would find ways to get the word out in the future.

Mr. Yalamanchi questioned whether residents needed to complete the Alarm Registration Form each year, or whether it was necessary only if there was a change in the alarm system or ownership.

Mr. Staran stated that this registration must be done every year so the information is accurate and current.

Mr. Yalamanchi suggested that the Ordinance be reviewed to reword it so that the registration form would be necessary only if there were a change. He questioned whether Council could explore changing to an earlier Regular Meeting time.

President Hooper stated that he was not opposed to an earlier time, but noted that it could present a problem for Council members to arrive on time.

Mr. Staran noted that Council sets the time; nothing was set by law or in the City Charter.

Mr. Rosen stated that he was not opposed to an earlier City Council meeting time, but residents should be notified and asked to comment. He questioned whether the Sheriff's Department could remind alarm owners that they needed to re-register.

Mr. Ambrozaitis stated he was not against an earlier City Council meeting time; however, he requested that Council not consider an earlier start time than 7:00 PM. He noted that an earlier time could present problems in the event Council needed to hold a closed session.

NEXT MEETING DATE

Team Building Session - Saturday, January 24, 2009, 8:00 AM - 3:30 PM at Oakland University's INCubator; Regular Meeting - Monday, January 26, 2009 - 7:30 PM

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 7:30 PM.

*GREG HOOPER, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*MARY JO WHITBEY
Administrative Secretary
City Clerk's Office*

Approved as presented at the April 20, 2009 Regular City Council Meeting.